Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 4 0 8 - 2 3 1 7 1 - 0 4 5 4 - 1 4 5 | Date: 12/24/08 | Time: 0055 hrs

Location: Firestone Boulevard/ Pioneer Boulevard | City or Station: Norwalk, CA.

Bureau/Station/Facility: F.O.R. III / Norwalk Station | Admin. Investigation: YES ☐ NO ☒

Type of Force: Significant / Control Holds/Personal Weapons/Flashlight/Takedown

Deputy Injury : YES ☒ NO ☐ | Suspect Injury YES ☒ NO ☐

☐ Call ☒ Observation ☐ Detail | ☒ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: YES ☒ NO ☐ Person Notified: Lt. Brickert Emp: [redacted] IAB Roll Out: YES ☐ NO ☒

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Sanchez	Juan	C.

Sex: ☒ Male ☐ Female | Race: H | Unit of Assignment: Norwalk Station | Work Assignment (Unit #, Module, etc.): 43K1

Shift: ☒ EM ☐ Day ☐ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 6'00" | Weight: 215

☐ Injured ☐ Treated ☐ Admitted Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	McMorrow	Michael	D.

Sex: ☒ Male ☐ Female | Race: W | Unit of Assignment: Norwalk Station | Work Assignment (Unit #, Module, etc.): 45K4

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 6'01" | Weight: 225

☐ Injured ☐ Treated ☐ Admitted Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	Sotomayor	David	NMN

Sex: ☒ Male ☐ Female | Race: H | Unit of Assignment: Norwalk Station | Work Assignment (Unit #, Module, etc.): 45K2

Shift: ☒ EM ☐ Day ☐ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 5'08" | Weight: 180

☒ Injured ☒ Treated ☐ Admitted Hospital: | Coroner Case #: | Directed Force ☐ Significant Force ☒

☒ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Reveles	Joe	I.	Sgt	YES ☒ NO ☐	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Hanson	Amylynn	NMN

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Evans	Bill	S.

Lieutenant Bill Evans | B. Evans | [redacted] | 01-08-09
Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Sergeant Joe I. Reveles | [redacted] | J. Reveles | [redacted]
Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Capt. Patrick E. Maxwell | [signature] | [redacted] | 02-02-09
Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO# 2237076 [initials] 2/3/09

CONTENTS NOTED LT. J. SCROGGIN

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 12/07)

9-17-09

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
4 0 8 - 2 3 1 7 1 - 0 4 5 4 - 1 4 5

Involved Employee

E 4

Employee #	Last Name	First Name	Middle Name
[redacted]	Velasquez	Steven	A.

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[X] Male [ ] Female	H	Norwalk Station	45K1

Shift:		Age:	Height:	Weight:
[X] EM [ ] Day [ ] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	[redacted]	5'09"	215

	Hospital:	Coroner Case #	
[X] Injured [X] Treated [ ] Admitted			Directed Force [ ] Significant Force [X]

E 5

Employee #	Last Name	First Name	Middle Name
[redacted]	Castanon	Domenic	J.

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[X] Male [ ] Female	H	Norwalk Station	43T1

Shift:		Age:	Height:	Weight:
[X] EM [ ] Day [ ] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	[redacted]	5'08"	210

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [X]

E__

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

E__

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

E__

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

	Hospital:	Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted			Directed Force [ ] Significant Force [ ]

Supervisor's Report on Use of Force
SUSPECT INFORMATION
4 0 8 - 2 3 1 7 1 - 0 4 5 4 - 1 4 5

Suspect Information

S 1

Last Name Cardenas | First Name Ernie | Middle Name NMN

AKA Last Name | First Name | Middle Name

Sex: ☒ Male ☐ Female | Race: H | Street Address: [redacted] | City: Bell Gardens | State & Zip Code: CA / 90201

Work Phone: None | Home Phone: [redacted] | Age: 19 | Height: 5'07" | D.O.B. 12/16/89 | Weight: 220 | Armed? ☐

Booking #: 1741405 | Primary Charge Code: 69 P.C. | Secondary Charge Code: 243(b)P.C. | Criminal History ☒

EMT in attendance? ☒ YES ☐ NO Name: Captain Lomeli | Unit: Fire Eng. #20 | Phone #: [redacted]

Hospital Admission? ☐ | Rec'd Treatment At: Coast Plaza Doctors Hospital | Coroner Case #: | Mental History ☐

By Doctor: John Goff | Address: 13100 Studebaker Road Norwalk, CA 90650 | Phone #: (562) 868-3751

Under Influence: ☐ YES ☒ NO | Substance: | Mental Illness ☐

Suspect Interview

Date: 12/24/08 | Time: 0420 | Audiotape: ☐ | Videotape: ☒ | Photos of Injuries: ☐

Suspect Information

S__

Last Name | First Name | Middle Name

AKA Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO | Substance: | Mental Illness: ☐

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

Suspect Information

S__

Last Name | First Name | Middle Name

AKA Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO | Substance: | Mental Illness ☐

Suspect Interview

Date: | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Cardenas, Ernie	S#1	Sanchez, Juan C	E#1	PH/RS/PP	NN	NN
Sanchez, Juan C	E#1	Cardenas, Ernie	S#1	PH	NN	NN
Cardenas, Ernie	S#1	Sanchez, Juan C	E#1	PH/RS	NN	NN
Cardenas, Ernie	S#1	Sotomayor, David	E#3	PH	CP	FA
Sotomayor, David	E#3	Cardenas, Ernie	S#1	PH	BR	FA
Cardenas, Ernie	S#1	McMorrow/Sotomayor/Velasquez	E#2,3,4	OO	NN	NN
Velasquez, Steven	E#4	Cardenas, Ernie	S#1	CT	NN	NN
McMorrow, Michael	E#2	Cardenas, Ernie	S#1	FL	BR/AB	SH
Cardenas, Ernie	S#1	Sotomayor, David	E#3	PH	NN	NN
Sotomayor, David	E#3	Cardenas, Ernie	S#1	PH	BR/AB	FA
Cardenas, Ernie	S#1	Sotomayor/Castanon	E#3,5	UC/RS/PH	CP	HD
Sotomayor/Castanon	E#3,5	Cardenas, Ernie	S#1	TD	LC	HE
Cardenas, Ernie	S#1	Sotomayor/Castanon	E#3,5	UC/RS/PH	NN	NN
Velasquez, Steven	E#4	Cardenas, Ernie	S#1	FL	BR/AB	BK
Cardenas, Ernie	S#1	McMorrow/Sotomayor/Velasquez/Castanon	E#2,3,4,5	UC/RS/PH	CP	HD
McMorrow/Sotomayor/Velasquez	E#2,3,4	Cardenas, Ernie	S#1	CT	NN	NN
Castanon, Domenic	E#5	Cardenas, Ernie	S#1	PH	BR	BK
Cardenas, Ernie	S#1	McMorrow/Sotomayor/Velasquez/Castanon	E#2,3,4,5	RS/UC/PK	NN	NN
McMorrow/Sotomayor/Velasquez/Castanon	E#2,3,4,5	Cardenas, Ernie	S#1	CT	NN	NN

Supervisor's Report on Use of Force
408-23171-0454-145

Force Applied

SIGNIFICANT FORCE / CONTROL HOLDS/PERSONAL WEAPONS/FLASHLIGHT/TAKEDOWN

Incident Details

Deputy Sanchez conducted a pedestrian stop on Suspect Cardenas for creating a traffic hazard. Deputy Sanchez placed the suspect in the rear of the patrol car. He subsequently ran the suspect for warrants and discovered Suspect Cardenas was wanted for a 288.5 P.C., no bail warrant. Deputy Sanchez opened the rear door of the patrol unit and had the suspect turn away to facilitate handcuffing him. When Deputy Sanchez attempted to handcuff him, Suspect Cardenas pulled away, spun toward Deputy Sanchez, put his left foot outside the radio car and pushed him away. He then struggled his way out of the back seat. Deputy Sanchez struggled to subdue Suspect Cardenas for several moments. Suspect Cardenas ultimately broke free from Deputy Sanchez' grasp and ran away.

Deputy Sanchez initiated a foot pursuit. He broadcast his situation, and when he lost sight of the suspect, a containment of the perimeter was set up. Several assisting units along with an aero unit responded. The aero unit located the suspect hiding in between a house and a wooden fence. As deputies approached and ordered the suspect out, he ran from the backyard via the gate. Deputies Castanon and Sotomayor ran after the suspect and confronted him as he turned to face them. The suspect struck Deputy Sotomayor in the face with his right fist. Deputy Sotomayor punched the suspect several times in the face with his fists. Deputy Castanon, Velasquez, and McMorrow caught up to the suspect and used several flashlight and personal weapon strikes to the shoulder and back area of the suspect. The deputies used a take down maneuver to place the suspect on the ground. He was placed in handcuffs without further incident.

Reported Use of Force by Involved Employee(s)

The involved deputies completed written reports detailing their observations and actions. The contents of their reports were consistent with their verbal notifications regarding the use of force.

Witness Interview(s)

Sergeant John Wolak contacted [redacted] at [redacted]. This address was directly in front of where the force incident occurred. Ms. [redacted] stated she did not hear or see anything. We were unable to locate any witnesses.

Suspect Interview(s)

Suspect Interview(s) Conducted By: ☒ **Watch Commander** ☐ **Supervising Sergeant**

Suspect Cardenas' statement was videotaped. Suspect Cardenas said he was crossing Pioneer Boulevard when he was stopped by the deputy, put in the back seat of the radio car, and checked for warrants. He was

told he had a warrant and that he was being arrested. When the deputy opened the door and tried to handcuff him, he pushed the deputy back. The deputy tried to hold onto him by his shirt but he pulled out of it and ran away. He attempted to hide in between some houses but was discovered. He tried to run away again, but when he ran out of the backyard several deputies caught him. He was taken to the ground by the deputies. He was then punched and kicked in the body, face, and head several times. He claimed he lost consciousness and then next thing he remembered was a paramedic speaking to him. Suspect Cardenas complained of pain to his face, head, back and abdomen. He denied striking any deputies.

Medical Review

Suspect Cardenas was transported to Coast Plaza Doctor's Hospital for treatment and to obtain medical approval prior to booking. He was seen and treated in the emergency room by Doctor John Goff. The suspect sustained a three and one quarter inch laceration to the back of his head which required staples to close. The suspect was also treated for a concussion, abdominal pain, and multiple facial abrasions. Doctor Goff cleared Suspect Cardenas for booking at IRC.

Doctor Goff refused to give an opinion on whether the injuries sustained by Suspect Cardenas were consistent with the force reported. This is a consistent issue with Doctor Goff who feels it is not his responsibility to provide such opinions.

Training & Tactical Review

☒ **Debriefing held to discuss training and tactical issues.**

I de-briefed this incident with all involved personnel. I explained the options of waiting for back-up prior to handcuffing the suspect. I also emphasized the less lethal weapons (specifically a Taser) options readily available. Deputy Sanchez was engaged with the suspect and did not have the opportunity to deploy less lethal weapons. The deputies were receptive to my concerns.

The force used by Deputies Sanchez, McMorrow, Sotomayor, Velasquez and Castanon was objectively reasonable, within Department policy and properly reported. I recommend no further action.

Watch Commander's Review

I have examined the documentation associated with this incident. The force used was reasonable.

I recommend no further action.

Case Status

This case was filed with the Bellflower District Attorney's Office. Charges against Suspect Cardenas for the violations of Penal Code § 69, Resisting Executive Officers and Penal Code § 243 (b), Battery Against a Peace Officer were pending at the time of this report.